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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,245	11/19/2001	Franz Saller	1454.1123	8398

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EXAMINER

CHO, HONG SOL

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	09/988,245		SALLER, FRANZ	
	Examiner		Art Unit	
	Hong Cho		2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-19 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01292002,01152004</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-6, 8-10, 12, 13, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al (USPUB 20050008005), hereinafter referred to as Li in view of Iwama et al (U.S 6600735), hereinafter referred to as Iwama.

Re claims 1 and 9, Li discloses receiving a setup message including a directory number at first call server (*a source network*, figure 1, MPK) for a called end user (*a connection destination which is external to the source network*, figure 1, Richardson) in an IP communication and identifying an endpoint hosted by the call server based on call server ID (*setting up an H.323 connection from a source network to a connection destination which is external to the source network and is identified by logical address information*, figure 1; paragraph [0007]). Li fails to disclose conveying H.323 or SIP connection setup signaling from a first gateway device associated with the source network to a second gateway device via a first transit network and conveying H.323 or SIP connection setup signaling from the second gateway device to a third gateway device via a second transit network, the

third gateway being associated with a communication network which is routed to the connection destination. Iwama discloses relaying a setup message to a gateway device through a router in each zone (figure 3, column 6, line 60 to column 7, line 11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify IP network of Li to include a plurality of network zones separated by a router, gatekeeper, gateway and voice relay router so that a setup message is transmitted through a control signal path. The motivation to modify is to implement a reliable gateway device management system of detecting the connectivity problem to a gateway device to select optimum gateway device. Li discloses each call server using directory number to utilize transport address of one or more call server or endpoint IDs (*the first gateway device using at least one section of the logical address information to derive a first transport address which identifies the second gateway device in the first transit network and the second gateway device using at least one further section of the logical address information to derive a second transport address which identifies the third gateway device in the second transit network*, paragraph [0031], lines 1-4; lines 25-28).

Re claim 2, Li discloses a digilator tree used by a call server to map directory number or number ranges to unique network IDs (*the first gateway device derives the first transport address from a different section of the logical address information than used by the second gateway device to derive the second transport address*, figure 4, paragraph [0031], lines 11-23).

Re claims 3 and 4, Li discloses transmitting a setup message including the endpoint ID for the endpoint to which the call is being made to call server (*H.323 or SIP connection setup signaling transmits a transport address identifying the transmission destination to the source network*, paragraph [0007], lines 4-7] and transporting messages among peer call server by using transport layer communications (*payload data to be transmitted over the H.323 or SIP connection are transmitted on a direct route from the source network to the transmission destination using the transmitted transport address*, paragraph [0047]).

Re claims 5, 12 and 16, Li discloses a first and second transit network as being an IP network (figure 1, element 106).

Re claims 6, 13 and 17, Li discloses the logical address information comprising a call server ID (*a dialing code*, paragraph [0030]) and an endpoint ID (*a service number or a terminal call number*, paragraph [0030]).

Re claims 8 and 15, Li discloses call signaling transport address including an IP address (*the transport address is valid on the network layer of the OSI reference model*, paragraph [0033], lines 13-14).

Re claim 10, Li discloses a call server implementing H.323 for controlling H.323 connection internal to the source network (paragraph [0019], lines, 9-10).

Claims 7, 14, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li in view of Iwama and further in view of Civanlar et al (USPUB 20020024945), hereinafter referred to as Civanlar.

Re claims 7, 14 and 18, Li discloses all of the limitations of the base claim, but fails to disclose the logical address information comprising an email address and an alias address or URL. Civanlar discloses using various address formats such as email, IP, E.164 (*alias address*) and MAC address (paragraph [0037]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify data structure of Li to have an email address and an alias address or URL field of Civanlar. The motivation to modify is to implement versatile address translation scheme so that various address formats would be translated each other based on user preference.

Re claim 19, Li discloses call signaling transport address including an IP address (*the transport address is valid on the network layer of the OSI reference model*, paragraph [0033], lines 13-14).

Allowable Subject Matter

3. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement for reasons for allowance.

Art Unit: 2662

4. Claim 11 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest the communication system wherein the first gateway device has a first H.323 or SIP interface to the source network and a second H.323 or SIP interface to the first transit network, where the first H.323 or SIP interface is designed for operation in a gatekeeper-controlled H.323 or SIP mode, and the second H.323 or SIP interface is designed for simultaneous operation in a gatekeeperless H.323 or SIP mode.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- US Patent (6829232) to Takeda et al.
 - US Patent (6707797) to Gardell et al.
 - US Patent (6385193) to Civanlar et al
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

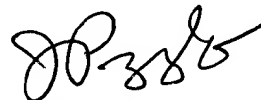
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Art Unit: 2662

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc

Hong Cho
Patent Examiner
6/29/2005


JOHN PEZZLO
PRIMARY EXAMINER